

providing for the appointment of court bailiffs, and their compensation, and removal; providing for the appointment of assistants, investigators, and stenographers by the Criminal District Attorney of Bexar County; providing for their compensation; prescribing their powers and duties; providing when this Act shall go into effect; providing that if any part of this Act be held invalid the remainder shall be valid; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

### THIRTY-FIFTH DAY

(Monday, March 13, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Glass.
Adamson.	Good.
Aikin.	Goodman.
Alexander.	Graves.
Alsup.	Greathouse.
Anderson	Griffith.
of Johnson.	Haag.
Baker.	Hankamer.
Barrett.	Harman.
Barron.	Harris.
Beck.	Harrison.
Bedford.	Hartzog.
Bourne.	Head.
Burns.	Hester.
Butler.	Hicks.
Calvert.	Hill of Brazoria.
Camp.	Hill of Webb.
Canon.	Hodges.
Cathey.	Holekamp.
Chastain.	Holland.
Clayton.	Holloway.
Colson.	Hoskins.
Cowley.	Huddleston.
Crossley.	Hughes.
Daniel.	Hunt.
Davidson.	Hyder.
Dean.	Jackson.
Devall.	James.
Dunlap.	Jefferson.
Dunagan.	Johnson
Dwyer.	of Anderson.
Engelhard.	Jones of Atascosa.
Fain.	Jones of Runnels.
Fisher.	Jones of Shelby.
Ford.	Kayton.
Fuchs.	Kyle of Hays.

Kyle of Palo Pinto.	Renfro.
Laird.	Riddle.
Latham.	Roberts.
Lemens.	Rogers of Hunt.
Leonard.	Rogers
Lindsey.	of Ochiltree.
Long.	Rollins.
Lotief.	Ross.
Magee.	Russell.
Mackay.	Savage.
McCullough.	Scarborough.
McDougald.	Scott.
McGregor.	Shannon.
McKee.	Shults.
Merritt.	Smith.
Metcalfe.	Steward.
Mitcham.	Stinson.
Moffett.	Stovall.
Moore.	Sullivant.
Morrison.	Tarwater.
Morse.	Tennyson.
Munson.	Thomas.
Nicholson.	Tillery.
Palmer.	Townsend.
Parkhouse.	Turlington.
Patterson.	Van Zandt.
Pavlica.	Vaughan.
Pope.	Wagstaff.
Puryear.	Walker.
Ramsey.	Weinert.
Ratliff.	Wells.
Ray.	Winningham.
Reader.	Wood.
Reed of Bowie.	Young.
Reed of Dallas.	

#### Absent

Duvall.	West.
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#### Absent—Excused

Anderson	Golson.
of Bexar.	Johnson
Bradley.	of Dimmit.
Caven.	Mathis.
Coombes.	McClain.
Few.	Stanfield.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Stanfield for today, on motion of Mr. Greathouse.

Mr. Caven for today, on motion of Mr. Beck.

Mr. Few for today, on motion of Mr. Puryear.

Mr. Anderson of Bexar for today, on motion of Mr. Nicholson.

Mr. Mathis for this morning, on motion of Mr. Colson.

Mr. McClain for today, on motion of Mr. Canon.

Mr. Coombes for today, on motion of Mr. Good.

The following Members were granted leaves of absence on account of illness:

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ford.

Mr. Golson for today on account of a death in his family, on motion of Mr. Alexander.

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Clayton, Mr. Hill of Webb, Mr. Walker, Mr. Holland, Mr. Davidson, Mr. Calvert, and Mr. Jones of Atascosa:

H. B. No. 808, A bill to be entitled "An Act amending Revised Civil Statutes of the State of Texas, revision of 1925, by adding thereto a title to be known as Title 107-a, relating to the operation of shops of places of business where secondhand goods, wares, and merchandise are sold or used, and providing that operators of such places of business shall keep a record of the origin of all such secondhand goods, wares, and merchandise in such places of business, and providing a penalty."

Referred to Committee on Criminal Jurisprudence.

By Mr. Pope:

H. B. No. 809, A bill to be entitled "An Act to amend Article 2845, of the 1925 Revised Civil Statutes of the State of Texas, by adding thereto a provision making it unlawful for the State Board of Education, the Texas State Text Book Commission, the State Superintendent of Public Instruction, any county school superintendent, any city school superintendent, or public school teacher, or other school authority, or official, or board

of trustees to require or permit the teaching of any textbook, or book of any character, on any subject, as a substitute, or in lieu of, or otherwise, in any public school of Texas, or other institution, for which free textbooks are permitted to be furnished under the provisions of the free textbook laws of the State of Texas, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Pope:

H. B. No. 810, A bill to be entitled "An Act to amend Chapter 314, Acts, Forty-second Legislature, 1931, being House Bill No. 981 (Art. 1118-a, Vernon's Revised Civil Statutes, 1925, and 1932 Supplements), by amending Section 2-a thereof to hereafter read and provide that the requirements of House Bill No. 312, Acts, Forty-second Legislature, 1931, Chapter 163, with reference to notice, competitive bids, and the right to referendum shall not apply to cities and towns acting under authority of this Act until after June 1, 1934, instead of after June 1, 1932, etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Pope:

H. B. No. 811, A bill to be entitled "An Act to amend Section 1, of Chapter 117, being House Bill No. 847, passed by the Forty-second Legislature of the State of Texas, as appears from page 229, of the Special Laws of said Forty-second Legislature, and declaring an emergency." (Relative to forfeiture, revalue, and repurchase of public school lands.)

Referred to Committee on Public Lands and Buildings.

By Mr. Glass, Mr. Graves, and Mr. Colson:

H. B. No. 812, A bill to be entitled "An Act amending Acts of 1925, Thirty-ninth Legislature, Chapter 17, page 44, same being Articles 5472-a and 5472-b, of the 1925 Revised Civil Statutes of Texas, and amending Article 5472-b-1, same being Acts of 1929, Forty-first Legislature, Second Called Session, page 154, Chapter 78, by further providing in said three

Articles, as amended, that claimants shall itemize their claims, and file sworn accounts, and that suits can only hereafter be brought either in the county of the contractor's residence or the county in which the work was done or labor performed, and declaring an emergency."

Referred to Committee on Judiciary.

### SPECIAL ORDER SET

On motion of Mr. Morrison, House Bill No. 786 was set as a special order for 11 o'clock a. m., next Tuesday.

### RELATIVE TO THE RESOLUTION PERIOD

On motion of Mr. Morse, the House dispensed with the consideration of resolutions at this time.

### HOUSE CONCURRENT RESOLUTION NO. 19 WITH SENATE AMENDMENTS

Mr. McDougald called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. C. R. No. 19, To grant S. G. Burnett permission to sue the State.

The Speaker laid the resolution before the House, with the Senate amendments.

On motion of Mr. McDougald, the House concurred in the Senate amendments.

### SENATE BILL NO. 374 ON SECOND READING

On motion of Mr. Dwyer, by unanimous consent, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading,

S. B. No. 374, A bill to be entitled "An Act fixing the term of office of school trustees of independent school districts, heretofore created by special Acts of the Legislature, having the board of seven trustees, and having included within their boundaries a city whose population was in excess of two hundred thousand, as shown by the last preceding Federal Census; adjusting the terms of office of trustees to conform to the provisions of this Act; providing for the election of trustees of such independ-

ent school districts; providing for the filling of all vacancies in the office of trustees of such districts; and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to third reading.

### SENATE BILL NO. 374 ON THIRD READING

Mr. Jefferson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 374 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adamson.	Hicks.
Aikin.	Hill of Webb.
Alexander.	Hodges.
Alsup.	Holekamp.
Anderson	Holland.
of Johnson.	Hoskins.
Baker.	Huddleston.
Barrett.	Hughes.
Barron.	Hyder.
Beck.	James.
Bourne.	Jefferson.
Burns.	Johnson
Butler.	of Anderson.
Calvert.	Jones of Atascosa.
Camp.	Jones of Runnels.
Canon.	Jones of Shelby.
Chastain.	Kayton.
Clayton.	Kyle of Hays.
Colson.	Kyle of Palo Pinto.
Cowley.	Latham.
Crossley.	Lindsey.
Daniel.	Long.
Davidson.	Lotief.
Dean.	Magee.
Devall.	Mackay.
Dunlap.	McCullough.
Dunagan.	McDougald.
Dwyer.	McKee.
Engelhard.	Merritt.
Fain.	Mitcham.
Fisher.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Morse.
Goodman.	Munson.
Graves.	Nicholson.
Greathouse.	Pavlica.
Griffith.	Pope.
Haag.	Puryear.
Hankamer.	Ratliff.
Harman.	Ray.
Harris.	Reader.
Harrison.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Renfro.
Hester.	Roberts.

Rogers of Hunt.  
Rogers  
of Ochiltree.  
Ross.  
Scarborough.  
Scott.  
Shannon.  
Shults.  
Smith.  
Steward.  
Stinson.  
Stovall.  
Sullivant.

Tennyson.  
Thomas.  
Tillery.  
Townsend.  
Turlington.  
Van Zandt.  
Vaughan.  
Wagstaff.  
Walker.  
Weinert.  
Wells.  
Wood.

## Absent

Bedford.  
Cathey.  
Duvall.  
Good.  
Hill of Brazoria.  
Holloway.  
Hunt.  
Jackson.  
Laird.  
Lemens.  
Leonard.  
McGregor.  
Metcalf.

Palmer.  
Parkhouse.  
Patterson.  
Ramsey.  
Riddle.  
Rollins.  
Russell.  
Savage.  
Tarwater.  
West.  
Winningham.  
Young.

## Absent—Excused

Anderson  
of Bexar.  
Bradley.  
Caven.  
Coombes.  
Few.

Golson.  
Johnson  
of Dimmit.  
Mathis.  
McClain.  
Stanfield.

The Speaker then laid Senate Bill No. 374 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—115

Adamson.  
Aikin.  
Alexander.  
Alsup.  
Anderson  
of Johnson.  
Baker.  
Barrett.  
Barron.  
Beck.  
Bedford.  
Bourne.  
Burns.  
Butler.  
Calvert.  
Camp.  
Canon.  
Chastain.  
Clayton.  
Colson.  
Cowley.  
Crossley.

Daniel.  
Davidson.  
Dean.  
Devall.  
Dunlap.  
Dunagan.  
Dwyer.  
Engelhard.  
Fain.  
Fisher.  
Ford.  
Fuchs.  
Glass.  
Goodman.  
Graves.  
Griffith.  
Haag.  
Hankamer.  
Harris.  
Harrison.  
Hartzog.  
Head.

Hester.  
Hicks.  
Hill of Webb.  
Hodges.  
Holekamp.  
Holland.  
Holloway.  
Hoskins.  
Hughes.  
Hunt.  
Hyder.  
James.  
Jefferson.  
Johnson  
of Anderson.  
Jones of Atascosa.  
Jones of Runnels.  
Jones of Shelby.  
Kayton.  
Kyle of Hays.  
Kyle of Palo Pinto.  
Latham.  
Lindsey.  
Long.  
Magee.  
Mackay.  
McCullough.  
McDougald.  
McGregor.  
McKee.  
Merritt.  
Mitcham.  
Moffett.  
Moore.  
Morrison.  
Morse.  
Munson.

Nicholson.  
Pavlica.  
Pope.  
Purvey.  
Ramsey.  
Ratliff.  
Ray.  
Reader.  
Reed of Bowie.  
Reed of Dallas.  
Renfro.  
Riddle.  
Roberts.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Scarborough.  
Scott.  
Shannon.  
Shults.  
Smith.  
Steward.  
Stovall.  
Sullivant.  
Tennyson.  
Thomas.  
Tillery.  
Townsend.  
Turlington.  
Van Zandt.  
Vaughan.  
Wagstaff.  
Walker.  
Weinert.  
Wells.  
Wood.  
Young.

## Absent

Cathey.  
Duvall.  
Good.  
Greathouse.  
Harman.  
Hill of Brazoria.  
Huddleston.  
Jackson.  
Laird.  
Lemens.  
Leonard.  
Lotief.

Metcalf.  
Palmer.  
Parkhouse.  
Patterson.  
Rollins.  
Ross.  
Russell.  
Savage.  
Stinson.  
Tarwater.  
West.  
Winningham.

## Absent—Excused

Anderson  
of Bexar.  
Bradley.  
Caven.  
Coombes.  
Few.

Golson.  
Johnson  
of Dimmit.  
Mathis.  
McClain.  
Stanfield.

## HOUSE BILL NO. 218 ON SECOND READING

On motion of Mr. Jones of Atascosa, by unanimous consent, the regular order of business was suspended to

take up and have placed on its second reading and passage to engrossment,

H. B. No. 218, A bill to be entitled "An Act requiring the Land Commissioner to ascertain and determine the amount of bonus and rental money due the State, and by whom due, under the operation, terms, and conditions of Chapter 81, printed Acts of the Second Called Session, of the Thirty-sixth Legislature and the amendments thereof, by the First Called Session, of the Thirty-seventh Legislature, which Acts are generally referred to as the Relinquishment Act, authorizing the Land Commissioner to settle and compromise such debts with the debtors on the basis of actual amounts found due less all just and lawful credits, etc.; and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend House Bill No. 218 by striking out all below the enacting clause, and, in lieu thereof, substitute the following:

"Section 1. It shall be the duty of the Commissioner of the General Land Office to ascertain and determine the amounts due the State, and by whom due, as a result of the execution of oil and gas leases by owners of the soil, as agents of the State, under the provisions of the Relinquishment Act. The term 'Relinquishment Act,' as used in this Act, refers to and includes Chapter 81, printed Acts of the Second Called Session of the Thirty-sixth Legislature, and the amendment thereof enacted by the First Called Session of the Thirty-seventh Legislature.

"Sec. 2. When the Land Commissioner has ascertained and determined the amounts due the State, and by whom due, as in Section 1 of this Act provided, the debtor shall pay said debt in cash; or, at his option, shall pay one twentieth (1/20) in cash, and make and execute an obligation to the State for the balance due, which obligation shall provide for the payment of the balance due in twenty (20) equal annual payments, the first of which shall be due and payable one (1) year after the date of such obligation, and a similar payment each year thereafter until the twenty (20) deferred an-

nual payments have been made. The obligation shall be in the form of a promissory note, and shall bear interest at the rate of four per cent (4%) per annum, and such interest shall be payable annually. Principal and interest shall be payable at Austin, Travis County, Texas. All past due principal and interest shall bear interest at the rate of five per cent (5%) per annum.

"Sec. 3. Nothing in this Act shall ever be construed as releasing any lien that the State may now have to secure the indebtedness due the State, after the same has been ascertained and determined, and the obligation executed.

"Sec. 4. No debtor, as the term 'debtor' is used in this Act, may pay his debt to the State by the execution of a promissory note, unless he does so within two (2) years from the date this Act becomes effective.

"Sec. 5. No suit may be instituted or maintained by the State for the collection of any debt due the State because of the execution of any oil and gas leases under the provisions of the Relinquishment Act, until said debtor has failed or refused to take advantage of the provisions of this Act, and within the time fixed by Section 4 of this Act; and providing further, that no suit may be instituted or maintained for the collection of any such debt, or alleged debt, due the State, unless such suit is instituted within five (5) years from and after the date of this Act becomes effective, but this limitation shall not apply to the obligation made to the State as provided in Section 2 of this Act.

"Sec. 6. The terms and provisions of this Act shall not apply to any indebtedness due the State which may accrue subsequent to the date this Act becomes effective, or to any debt due the State for oil and gas produced.

"Sec. 7. If any section, clause, provision, or sentence, in this Act contained, should ever be held to be unconstitutional, such holding shall not affect the remaining portions of this Act, it being the intent of the Legislature that effect shall be given to so much of this Act as may be valid, even if a portion of this Act shall be held invalid.

"Sec. 8. The fact that the State does not now know the amounts due to it from transactions arising under the so-called Relinquishment Act, nor by whom such indebtedness is due, and the further fact that such indebtedness was inadvertently incurred, and because of the present economic stress and strain, the debtors should be allowed time in which to pay this indebtedness, constitute an emergency and an imperative public necessity that the constitutional rule, that bills shall be read on three several days in each House, shall be suspended, and it is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

WAGSTAFF,  
JONES of Atascosa.

Mrs. Hughes offered the following amendment to the amendment:

Amend the amendment to House Bill No. 218 by adding a new Section, to be known as Section 2-a, as follows:

"Section 2-a. The extension of time granted by this Act shall not apply to any lessee or lessees, and the State's right against any lessee or lessees shall not be hereby in anywise affected or prejudiced, but the State may proceed to collect from said lessee or lessees such sums as may be due by them to the State without regard to the other provisions of this Act. It is the purpose of this Act to grant an extension of time to those landowners who are the surface owners, and who are only secondarily liable for the payment of any sums, and it is not the intention of the Legislature in this Act to grant any extension of time to any lessee who is primarily liable for the payment of sums claimed to be due by the State."

HUGHES,  
GRAVES,  
CALVERT,  
VAUGHAN,  
ANDERSON of Johnson.

Question—Shall the amendment by Mrs. Hughes be adopted?

#### RECESS

On motion of Mr. Pope, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### HOUSE BILL NO. 218 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 218, relative to bonus and rental money due the State from oil and gas leases, etc.; the bill having heretofore been read second time, with amendment by Mr. Jones of Atascosa, and amendment by Mrs. Hughes, to the amendment, pending.

Mr. Van Zandt moved the previous question on the pending amendments, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Sullivant moved the previous question on the pending amendment by Mrs. Hughes, and the main question was ordered.

Question first recurring on the amendment by Mrs. Hughes, to the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

#### Yeas—75

Adamson.	Holekamp.
Anderson	Holland.
of Johnson.	Hoskins.
Barrett.	Huddleston.
Beck.	Hughes.
Bedford.	Hunt.
Burns.	James.
Calvert.	Jefferson.
Camp.	Jones of Shelby.
Canon.	Kyle of Hays.
Cathey.	Kyle of Palo Pinto.
Colson.	Latham.
Cowley.	Lemens.
Daniel.	Magee.
Devall.	Mackay.
Dunagan.	Mathis.
Engelhard.	McCullough.
Fain.	McGregor.
Fuchs.	Mitcham.
Glass.	Morrison.
Goodman.	Morse.
Graves.	Munson.
Harman.	Palmer.
Harris.	Parkhouse.
Head.	Pope.
Hester.	Puryear.
Hicks.	Ramsey.
Hodges.	Ray.

Reed of Bowie.	Stinson.
Reed of Dallas.	Stovall.
Riddle.	Sullivant.
Rogers of Hunt.	Tillery.
Rollins.	Turlington.
Ross.	Van Zandt.
Scarborough.	Vaughan.
Shannon.	Wells.
Shults.	Winningham.
Smith.	Young.

## Nays—48

Aikin.	Lindsey.
Alexander.	Long.
Alsup.	Lotief.
Baker.	McKee.
Bourne.	Merritt.
Butler.	Metcalfe.
Chastain.	Moffett.
Clayton.	Nicholson.
Crossley.	Patterson.
Davidson.	Pavlica.
Dean.	Ratliff.
Duvall.	Renfro.
Ford.	Roberts.
Good.	Rogers
Greathouse.	of Ochiltree.
Haag.	Russell.
Hankamer.	Savage.
Hartzog.	Scott.
Hill of Webb.	Tarwater.
Hyder.	Tennyson.
Jackson.	Thomas.
Johnson	Townsend.
of Anderson.	Wagstaff.
Jones of Atascosa.	Walker.
Jones of Runnels.	Wood.

## Present—Not Voting

Barron.	Reader.
Fisher.	

## Absent

Dunlap.	Laird.
Dwyer.	Leonard.
Griffith.	McDougald.
Harrison.	Moore.
Hill of Brazoria.	Steward.
Holloway.	Weinert.
Kayton.	West.

## Absent—Excused

Anderson	Golson.
of Bexar.	Johnson
Bradley.	of Dimmit.
Caven.	McClain.
Coombes.	Stanfield.
Few.	

## PAIRED

Mr. Barron (present), who would vote "yea," with Mr. Dwyer (absent), who would vote "nay."

Mr. Reader (present), who would vote "yea," with Mr. Johnson of Dimmit (absent), who would vote "nay."

Mr. Pope moved to reconsider the vote by which the amendment was adopted.

Mrs. Hughes moved to table the motion to reconsider.

(Pending consideration of the motion to reconsider, Mr. Aikin occupied the Chair temporarily.)

(Speaker in the Chair.)

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—70

Adamson.	Jones of Shelby.
Anderson	Kyle of Hays.
of Johnson.	Kyle of Palo Pinto.
Barrett.	Lemens.
Beck.	Leonard.
Bedford.	Magee.
Burns.	Mackay.
Calvert.	McCullough.
Camp.	McGregor.
Canon.	Mitcham.
Cathey.	Morse.
Cowley.	Munson.
Crossley.	Parkhouse.
Daniel.	Puryear.
Davidson.	Ramsey.
Devall.	Ray.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Fisher.	Riddle.
Fuchs.	Rogers of Hunt.
Glass.	Rollins.
Goodman.	Ross.
Graves.	Scarborough.
Harman.	Shannon.
Harris.	Shults.
Head.	Smith.
Hester.	Stinson.
Hicks.	Stovall.
Hodges.	Sullivant.
Holekamp.	Tillery.
Holland.	Van Zandt.
Huddleston.	Vaughan.
Hughes.	Wells.
Hunt.	Winningham.
James.	Wood.
Jefferson.	

## Nays—49

Aikin.	Good.
Alexander.	Greathouse.
Baker.	Griffith.
Bourne.	Haag.
Butler.	Hankamer.
Chastain.	Hartzog.
Clayton.	Hill of Webb.
Dean.	Holloway.
Dunagan.	Hyder.
Ford.	Jackson.

Johnson	Pope.
of Anderson.	Ratliff.
Jones of Atascosa.	Renfro.
Jones of Runnels.	Roberts.
Laird.	Rogers of Ochiltree.
Latham.	Russell.
Lindsey.	Savage.
Long.	Scott.
Lotief.	Steward.
Merritt.	Thomas.
Metcalf.	Townsend.
Moffett.	Wagstaff.
Nicholson.	Walker.
Patterson.	Weinert.
Pavlica.	Young.

## Present—Not Voting

Barron.	Reader.
Mathis.	

## Absent

Alsup.	McDougald.
Colson.	McKee.
Dunlap.	Moore.
Duvall.	Morrison.
Dwyer.	Palmer.
Harrison.	Tarwater.
Hill of Brazoria.	Tennyson.
Hoskins.	Turlington.
Kayton.	West.

## Absent—Excused

Anderson	Few.
of Bexar.	Golson.
Bradley.	Johnson of Dimmit.
Caven.	McClain.
Coombes.	Stanfield.

## PAIRED

Mr. Mathis (present), who would vote "yea," with Mr. Duvall (absent), who would vote "nay."

Mr. Barron (present), who would vote "yea," with Mr. Dwyer (absent), who would vote "nay."

Mr. Reader (present), who would vote "yea," with Mr. Johnson of Dimmit (absent), who would vote "nay."

BILL AND RESOLUTION SIGNED  
BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolution:

S. B. No. 374, "An Act fixing the term of office of school trustees of independent school districts, heretofore created by special Acts of the Legislature, having the board of seven trustees, and having included within their boundaries a city whose population was in excess of two hundred

thousand, as shown by the last preceding Federal Census; adjusting the terms of office of trustees to conform to the provisions of this Act; providing for the election of trustees of such independent school districts; providing for the filling of all vacancies in the office of trustees of such districts; and declaring an emergency."

H. C. R. No. 19, To grant S. G. Burnett and others permission to sue the State.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, March 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 24, Relative to a State Flower Song.

The Senate has passed

H. B. No. 34, A bill to be entitled "An Act amending Article 2691, Revised Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 211, A bill to be entitled "An Act amending Chapter 91, Acts, First Called Session, Fortieth Legislature, as amended by Chapter 77, Acts, First Called Session, Forty-first Legislature, as amended by Chapter 164, Acts, Regular Session, Forty-second Legislature, and declaring an emergency."

S. B. No. 441, A bill to be entitled "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, out of the General Revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Forty-third Legislature of the State of Texas, providing how accounts may be approved, and declaring an emergency."

S. B. No. 442, A bill to be entitled "An Act appropriating the sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, payable out of the General Revenue Fund, to pay the mileage and per diem of Members, and the salaries and per diem of officers and employes of the Forty-third Legislature of the State of Texas, and declaring an emergency."



S. B. No. 262, A bill to be entitled "An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes that were delinquent on or before February 1, 1931, due the State, from any county, special school district, school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State. Also cities, towns, and villages, provided said taxes are paid on or before September 1, 1933; etc., and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### MESSAGE FROM THE GOVERNOR

Mr. John H. Davis, Jr., Secretary to the Governor, appeared at the Bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,  
Austin, Texas, March 13, 1933.

To the Forty-third Legislature:

As emergency legislation, I submit for your consideration the question of a moratorium of all trial courts exercising jurisdiction within the State of Texas in the matter of foreclosure, under final judgment, of causes of action based on mortgages, deeds of trust, and other liens, wherein the recovery of the property or foreclosures of liens is sought. While I realize there may be serious legal questions involved, yet, the present state of affairs is so desperate that I deem it my duty to bring the matter to your attention.

In the same broad spirit of humanity which has brought about the co-operating powers of the Government to aid the financial institutions of the State, I think that equal attention should be given to protect the real estate and other property owners of the State from being made the victims of those who would exact a pound of flesh in the time of State and National distress.

Therefore, I submit the legislative subject of foreclosure of mortgages on real estate and other property in Texas.

Respectfully,  
MIRIAM A. FERGUSON,  
Governor of Texas.

#### NOTICE GIVEN

Mr. Leonard gave notice that he would, on tomorrow, call up the motion to reconsider the vote by which House Bill No. 142 was passed, which motion to reconsider was heretofore spread on the Journal.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 262, to the Committee on Revenue and Taxation.

Senate Bill No. 441, to the Committee on Appropriations.

Senate Bill No. 442, to the Committee on Appropriations.

#### ADJOURNMENT

Mr. Butler moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. Fuchs moved that the House recess to 9:30 o'clock a. m., tomorrow.

The motion of Mr. Butler prevailed, and the House, accordingly, at 5:45 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Education: Senate Bill No. 374.

State Affairs: House Concurrent Resolution No. 34; Senate Concurrent Resolutions Nos. 12, 19, 22, and 23; and Senate Bill No. 245.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, March 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 19, Granting S. G. Burnett and others permission to sue the State,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

**In Memory of**  
**Hon. C. M. Chambers**

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Mr. Dwyer offered the following resolution:

Whereas, On March 13, A. D. 1933, the Hon. C. M. Chambers, Mayor of San Antonio, Texas, was called to his eternal reward; and

Whereas, He was a man of outstanding character and ability, kindly in his nature, and beloved by his associates. He was active in the civic and governmental activities of this State, having served as a Member of the Twenty-sixth House of Representatives and the Twenty-ninth Senate of this State, and having held many other official positions in the City of San Antonio, and his long and unselfish services to the State and city will long be remembered; and

Whereas, Our deepest and most heartfelt sympathy at this time of bereavement goes out to the family of this distinguished man; and

Whereas, In the passing of the Hon. C. M. Chambers, of San Antonio, Texas, the South, and the State of Texas, and its citizens have lost a true gentleman, and an unselfish servant, and a valuable citizen. Now, therefore, be it

Resolved by the House of Representatives, That we extend our sympathy and condolence to the members of his family; that a copy of this resolution be printed on a page set apart for that purpose in the Journal of the House; that a copy be sent to his family; that when the House adjourns today, it do so in respect to the Hon. C. M. Chambers; and that a suitable floral offering be sent.

DWYER,  
ANDERSON of Bexar,  
KAYTON,  
READER,  
JEFFERSON,  
JONES of Runnels,  
BOURNE,  
BARRON.

The resolution was read second time, and was adopted by a rising vote.